



11/11
M2
1-8-02

**In the United States Patent and Trademark Office
Preliminary Amendment
Request for Continued Examination**

Application Number: 09/629,749

Appn. Filed: 07/31/00

Applicant: Durham Russell Maples, Camden, SC;

Appn. Title: A Method for Enhancing the Equity of a Business Entity

Examiner/GAU: Pierre Eddy Elisca

Amendment C

1. This is a request for continued examination of application 09/629/749 filed on July 31, 2000.
2. This is in response to the final action mailed on October 18, 2001.

Remarks

3/4/02
PLEASE
ENTER
P.E.
3. The claims were rejected by the Examiner for two reasons.

3. The claims were rejected by the Examiner for two reasons.
Reason 1. The claims were rejected under 35 U.S.C. 112 second paragraph because a single claim which claims both an apparatus and the method steps of using the apparatus is indefinite.
Reason 2. The claims were rejected under 35 U.S.C. 101 based on the **theory** that the claim is directed to neither a "process" nor a "machine", but rather embraces or overlaps two different statutory classes of invention set forth in 35 U.S.C. 101 which is drafted so as to set forth the statutory classes of invention in the alternative only.

A copy of the pages that outline the explanation by the Examiner sent in the last detailed action is enclosed. The claims were rejected for the same reason but applied to two different statutes.

4. The claims have been amended so that none of the claims have an apparatus claimed. All the claims are process claims.